Case 1-17-45395-cec Doc 42 Filed 06/01/18 Entered 06/01/18 09:57:08

Stein, Wiener & Roth, LLP

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Fax (516) 742-6595

Howard H. Stein Edward Wiener Gerald Roth Robert C. Sambursky Pranali Datta Karen Migdal Rosamaria Sagese Mojdeh Malekan of Counsel Mitch Alter James Birch Craig D. Zim

May 31, 2018

Chambers of the Hon. Carla E. Craig United States Bankruptcy Court 271 Cadman Plaza East, Suite 1595, Brooklyn, NY 11201

ATTN: Clerk's Office

RE: Victor Vidal

Chapter 13

Case No. 1-17-45395-CEC SWR File No. 57680/WELLS

Dear Sir/Madam:

This office represents Wells Fargo Bank, N.A. with respect to the above referenced matter.

Please be advised that on December 26, 2017 the debtor was denied for loss mitigation options. The debtor also submitted an appeal which was denied on January 11, 2018.

On March 6, 2018 the debtor's submitted a new package for review. On April 19, 2018 the debtor was denied for loss mitigation due to the creditor being unable to create an affordable mortgage payment that still meets the requirements of the program. This decision was reached by reviewing the debtor's monthly income. On April 30, 2018 the debtor's attorney submitted an appeal which was denied on May 16, 2018. At this time our office respectfully requests that loss mitigation be terminated.

Your kind cooperation and prompt attention to this matter would be greatly appreciated.

Very truly yours,

PRANALI DATTA

cc: David J. Doyaga, Sr., Esq.

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April 19, 2018

STEIN, WIENER & ROTH, LL 1 OLD COUNTRY RD #113 CARLE PLACE, NY 11514

Subject: Important information regarding the account listed below Borrower(s): VICTOR VIDAL

Dear STEIN, WIENER & ROTH, LL

Enclosed is an important document(s) for above borrower(s). These document(s) may provide the borrower(s) with time-sensitive information about the account referenced above. Please forward the enclosed document(s) to the borrower(s) or borrower's attorney as soon as possible.

Thank you for your prompt attention to this matter. If you have any questions or need additional assistance, please refer to the contact information within the enclosed document(s).

Wells Fargo Home Mortgage

Enclosure

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HOME MORTGAGE ARCO

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April 19, 2018

VICTOR VIDAL 2013 UNION ST BROOKLYN, NY 11212 **Account Information**

Online:

Fax: Telephone: wellsfargo.com 1-866-590-8910 1-800-416-1472 PO Box 10335

Correspondence: Hours of operation:

Des Moines, IA 50306 Mon - Thurs, 7 a.m. - 9 p.m.,

Fri, 7 a.m. - 8 p.m., Sat, 8 a.m. - 4 p.m., CT

Property address:

2013 UNION ST **BROOKLYN NY 1121**

PLEASE NOTE: This notice is being provided for informational purposes only. As a result of at least one bankruptcy case filing that included the above referenced account, Wells Fargo Home Mortgage is NOT attempting in any way to violate any provision of the United States Bankruptcy Code or to collect a debt (deficiency or otherwise) from any customer(s) who is impacted by an active bankruptcy case or has received a discharge, where the account was not otherwise reaffirmed or excepted from discharge. THIS IS NOT A BILL OR A REQUEST FOR PAYMENT AS TO THESE CUSTOMER(S). Your decision to discuss workout options with Wells Fargo Home Mortgage is strictly voluntary. You are not obligated to pursue any workout options discussed with us. At your request, we will immediately terminate any such discussions should you no longer wish to pursue these options.

Subject: Your request for assistance

We service the mortgage according to FHA's guidelines.

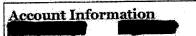
Dear VICTOR VIDAL:

We're responding to your request for assistance and the options that may be available to help you. We realize that the process can take some time, and we appreciate your patience while we review your options.

Here's what we found

We carefully reviewed the information you provided us, which included a process that compared your information to the qualifications for assistance associated with your loan. Here is the result of that review.

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Property address:

2013 UNION ST BROOKLYN NY 11212

Program	How the program works	Why you are not eligible at this time
FHA HAMP Loan Modification	This is the federal government's program that modifies the existing terms of the loan. To qualify, FHA product guidelines must be met.	Based on the documentation you provided, we are unable to create an affordable mortgage payment that still meets the requirements of the program. We reached this decision by reviewing your monthly income, which is calculated as \$5,965.00, along with reviewing the other information you provided.
Repayment Plan	This plan brings late payments current within an agreed-upon period by making larger-than-normal monthly payments. At the end of the repayment plan period normal monthly mortgage payments are reinstated.	Based on the documentation you provided we are unable to create an affordable mortgage payment that still meets the requirements of the program. We reached this decision by reviewing your monthly income, which is calculated as \$4,881.70, along with reviewing the other information you provided. Any available mortgage assistance programs would conflict with the terms of your current bankruptcy plan or increase your payment.
Short Sale	Allows a customer to sell their home for less than is owed.	At this time, you do not meet the requirements of this program because your expenses, subtracted from your monthly income, result in a balance that doesn't meet program requirements. We reached this decision by reviewing your monthly income, along with the other information you provided.

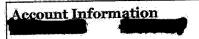
Once we determined that you did not meet the requirements for a particular program, we did not continue to evaluate that program based on other criteria related to your loan type or information you may have supplied. Instead we moved to evaluate you for the next available program based on your information and the qualifications associated with your loan.

If you believe our decision on your eligibility for assistance is incorrect, you can appeal within 20 calendar days from the date of this letter. You can follow the instructions outlined in the enclosed Appeal Request Form.

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Property address:

2013 UNION ST **BROOKLYN NY 11212**

Please be advised that because you are in mediation or court ordered modification review there may be different deadlines than what is referenced in this document. Please contact us to learn more about the state specific mediation timelines.

The loan may be included in a Single Family Loan Sale
It is possible that the loan may be included in a Single Family Loan Sale by FHA. This means that FHA may sell the loan to an investor, and the servicer of the loan may change. Note that foreclosure may happen if any of these events occur:

If you can't qualify for a mortgage assistance program.

If you aren't able to meet the terms of any mortgage assistance programs. (If, for example, you didn't make your mortgage payments on time.)
If your mortgage assistance program is denied.

If you didn't respond to our request for information and can't be considered for a mortgage

Also note that there may be limitations to foreclosure if the loan is in bankruptcy.

We're here for you

If you have any questions about the information in this letter please call me at the phone number listed below.

Sincerely,

ARMETYER

JASMINE TYLER Home Preservation Specialist Wells Fargo Home Mortgage

Ph: 1-855-716-0537 ext. 1335427312

Fax: 1-866-590-8910

Contact us

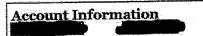
If you'd like to request information, notify us of an error, or share any concerns you may have about the servicing of your loan, please contact us at P.O. Box 10335, Des Moines, IA 50306. Please include your account number with all correspondence.

Get free counseling to help manage expenses and avoid foreclosure. Reach out to a local HUD-approved, non-profit housing counseling agency if you're struggling to keep up with monthly expenses, or want help to avoid foreclosure. At no cost, a counselor will work closely with you, providing the information and assistance you need. To find an agency near you, go to www.hud.gov/offices/hsg/sfh/hce/fc. Or call 1-800-569-4287 (TDD 1-800-877-8339). You can also call HOPE Hotline at 1-888-995-HOPE (4673).

Be sure you avoid anyone who asks for a fee for counseling or a loan modification, or asks you to sign over the deed to your home, or to make your mortgage payments to anyone other than Wells Fargo Home Mortgage.

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Property address:

2013 UNION ST BROOKLYN NY 11212

If you reside in the state of New York and if you believe the loss mitigation request has been wrongly denied, you may file a complaint with the New York State Department of Financial Services at 1-800-342-3736 or www.dfs.ny.gov.

The Federal Equal Credit Opportunity Act prohibits creditors from discriminating against credit applicants on the basis of race, color, religion, national origin, sex, marital status, age (provided the applicant has the capacity to enter into a binding contract); because all or part of the applicant's income derives from any public assistance program; or because the applicant has in good faith exercised any right under the Consumer Credit Protection Act. The Federal agency that administers compliance with this law concerning this creditor is Bureau of Consumer Financial Protection, 1700 G Street NW, Washington, DC 20006.

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Appeal request form

April 19, 2018

What you need to do

If you believe our decision on your eligibility for assistance is incorrect, you can appeal within 20 calendar days from the date of this letter.

You can request an appeal by fax, mail, or phone:

By fax	By mail	By phone
Dy IAX		
Fax number:	Return address:	Toll-free number:
1-866-590-8910	Wells Fargo Home Mortgage	1-877-816-4914
	MAC X9999-01N	and follow the prompts
	1000 Blue Gentian Road,	
	Suite 300	Be sure to have your loan
	Eagan, MN 55121	number.

If you choose to submit your appeal request in writing (via fax or mail), you can either use this appeal request form or write a letter of your own that explains the reason you believe our decision is incorrect. Include any additional information or documents that may help us review your appeal. Be sure to write your loan number on all documents. We'll review your appeal request based on the information you have provided (if applicable), or on the information we already have. After we receive your appeal request, you'll receive a confirmation letter with next steps.

1. Please state which decisions you believe are in	ncorrect and why:
2. Please enclose any additional information yo	u may have that supports your appeal.
3. Provide your contact information:	
₹*	
3. Provide your contact information: Primary contact phone: Other contact numbers: Best days and times to reach you:	

4. Fax or mail your appeal request to us as indicated at the top of the form.

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May 16, 2018

STEIN, WIENER & ROTH, LL 1 OLD COUNTRY RD #113 CARLE PLACE, NY 11514

Subject: Important information regarding the account listed below Borrower(s): Victor Vidal

Dear STEIN, WIENER & ROTH, LL

Enclosed is an important document(s) for above borrower(s). These document(s) may provide the borrower(s) with time-sensitive information about the account referenced above. Please forward the enclosed document(s) to the borrower(s) or borrower's attorney as soon as possible.

Thank you for your prompt attention to this matter. If you have any questions or need additional assistance, please refer to the contact information within the enclosed document(s).

Wells Fargo Home Mortgage

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May 16, 2018

VICTOR VIDAL 2013 UNION ST BROOKLYN, NY 11212-0000 **Account Information**

Online:

wellsfargo.com

Fax: Telephone: 1-866-590-8910 1-800-416-1472

Correspondence:

PO Box 10335

Hours of operation:

Des Moines, IA 50306 Mon-Thurs, 7 a.m. - 9 p.m.,

Fri, 7 a.m. - 8 p.m., Sat, 8 a.m. - 4 p.m., CT

Property address:

2013 Union St Brooklyn NY 11212

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not obligated to pursue any workout options discussed with us. At your request, we will immediately terminate any such discussions should you no longer wish to pursue these options.

Subject: Decision on the loan modification and next steps

Dear Victor Vidal:

In response to your appeal request, we reviewed the decision that was made about the mortgage.

Here's what we found

After carefully reviewing the information we currently have, we have determined that you still do not meet the requirements for a loan modification.

If you were already approved to participate in a short sale that is still available to you. Please contact us within 14 days of the date of this letter.

The loan may be included in a Single Family Loan Sale

It is possible that the loan may be included in a Single Family Loan Sale by FHA. This means that FHA may sell the loan to an investor, and the servicer of the loan may change.

Note that foreclosure may happen if any of these events occur:

- ⇔ If you can't qualify for a mortgage assistance program.
- ⇔ If you aren't able to meet the terms of any mortgage assistance programs. (If, for example, you didn't make your mortgage payments on time.)
- ⇔ If your mortgage assistance program is denied.

Account Information

Property address:

2013 Union St Brooklyn NY 11212

⇔ If you didn't respond to our request for information and can't be considered for a mortgage assistance program.

Also note that there may be limitations to foreclosure if the loan is in bankruptcy.

We're here for you

If you have any questions about the decision, please call the phone number below.

Sincerely,

ANGELABURT

ANGELA BURT Home Preservation Specialist Wells Fargo Home Mortgage Ph: 1-855-716-0537 ext. 1335427017

Fax: 1-866-590-8910

Email: MediationEmailTeam@wellsfargo.com

Contact us

If you'd like to request information, notify us of an error, or share any concerns you may have about the servicing of your loan, please contact us at P.O. Box 10335, Des Moines, IA 50306. Please include your account number with all correspondence.

Get free counseling to help manage expenses and avoid foreclosure. Reach out to a local HUD-approved, non-profit housing counseling agency if you're struggling to keep up with monthly expenses, or want help to avoid foreclosure. At no cost, a counselor will work closely with you, providing the information and assistance you need. To find an agency near you, go to www.hud.gov/offices/hsg/sfh/hcc/fc. Or call 1-800-569-4287 (TDD 1-800-877-8339). You can also call HOPE Hotline at 1-888-995-HOPE (4673).

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